and I hope we can arrange votes on those amendments. Once we finish those amendments, I hope other Senators will offer amendments. I hope they will consider some germane amendments.

In addition to the amendments that are pending, we have a number of amendments that are at the desk, I understand, and we have taken a look at those, and maybe we can work something out on those amendments.

This is a difficult bill, we understand that. I hope the offers I made today are considered serious. I repeat, I am not going to go through the litany of amendments, the unanimous consent requests. One is we would vote cloture—rather than Thursday morning, do it Thursday night. That is certainly something we could consider. Anyway, there are all kinds of alternatives we can do to move this bill forward if people want to do that.

As I said, there is no need to run through the unanimous consent requests I did previously. We will call it quits for the night. There is no more business on this bill.

Mr. President, I ask, so the managers don't have to stay around—I wonder if we can move to a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. That way, the Senator from Alabama can speak, and I would certainly consent to, when we take up the bill tomorrow, his remarks appearing as though we are working on the pending legislation.

Mr. SESSIONS. I am sorry, I did not hear the majority leader.

Mr. REID. I asked unanimous consent that there be a period for morning business. I know the Senator from Alabama wishes to speak. I assume it is on matters dealing with immigration.

Mr. SESSIONS. Mr. President, with regard to that, I have amendments I offered last Thursday and Friday and Monday that were not accepted. I was going to ask if those amendments could be made pending in addition to the nine amendments which were filed this week which I would like to make pending so we can have votes on them.

Mr. REID. I withdraw my consent for morning business, Mr. President. I think we have a couple of amendments that are part of the 10 we are going to try to get rid of tomorrow.

Mr. SESSIONS. Mr. President, for clarification, two amendments are basically the same amendment. We would only vote on one pending that I offered last week. In addition, last week, I filed two more amendments, and an objection was made to making them pending. So I renew my offer to at least make those two amendments pending. I filed them this morning.

Mr. REID. I say to my friend from Alabama, I think we have made a suggestion, and it is appropriate to move forward, that with regard to the 10 or 12 amendments now pending, we will set up times to vote on these, either by motions to table or if we can work out side-by-sides, whatever it takes, and then move to other amendments.

Certainly, the Senator from Alabama has been patient. We understand he has other amendments he wants to offer. But I object at this time until we get some plan for tomorrow to dispose of these amendments we have.

I have indicated a number of different alternatives, and others may come up with better suggestions. One is, let's get a list of finite amendments from the minority. We will add ours in with those, and we have done that on a number of occasions here. It will have to be done by unanimous consent, but it is worth a try. We can have a list of how many amendments people think are appropriate on this bill. Let's see if we can get that done by tomorrow morning.

We know the Senator from Alabama has a number he wishes to make part of that list, and other Senators have amendments they want to make part of that list. I have seen Senator THUNE, Senator DEMINT, and Senator COBURN here. There are other people who want to offer amendments, I understand, but let's get a finite list of who wants to offer amendments and what the amendments are.

Mr. SESSIONS. Mr. President, I take that as an objection to my request.

Mr. REID. Yes, I did object. I am sorry I didn't make it clear.

The PRESIDING OFFICER. Objection is heard.

Mr. SESSIONS. Would the majority——

The PRESIDING OFFICER. The majority leader controls the time.

Mr. REID. We are on the bill still; is that right?

The PRESIDING OFFICER. Yes, we are.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the substitute amendment No. 1150 to Calendar No. 144, S. 1348, comprehensive immigration legislation.

Harry Reid, Jeff Bingaman, Dick Durbin, Charles Schumer, Daniel K. Akaka, Jack Reed, Mark Pryor, Joe Biden, Amy Klobuchar, Daniel K. Inouye, Herb Kohl, H.R. Clinton, Evan Bayh, Ken Salazar, Debbie Stabenow, Frank R. Lautenberg, Joe Lieberman.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on Calendar No. 144, S. 1348, Comprehensive Immigration legislation.

Harry Reid, Jeff Bingaman, Dick Durbin, Charles Schumer, Daniel K. Akaka, Jack Reed, Mark Pryor, Joe Biden, Amy Klobuchar, Daniel K. Inouye, Herb Kohl, H.R. Clinton, Evan Bayh, Ken Salazar, Debbie Stabenow, Frank R. Lautenberg, Joe Lieberman.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period for the transaction of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The junior Senator from Alabama is recognized.

IMMIGRATION

Mr. SESSIONS. Mr. President, I appreciate the role of the majority leader. I have great affection for the majority leader. He is an effective leader for his agenda. But with regard to what is happening now, we need to fully understand that by utilizing the ability he has as a leader and as other members of his party—they have objected to calling up amendments and making them pending. When you object to making an amendment pending, all you have is a filed amendment. And when you file cloture, amendments that are not pending are not entitled to be voted on.

So, in effect, we are at the mercy of the majority leader. He has not allowed a full and vigorous offering of amendments and votes on those amendments. I know people can sometimes ask for too many votes and abuse the process, but we really are dealing with a monstrous bill that is very complex and has a loophole here and a loophole there that can place the bill in such a situation that it really is not enforceable and will not work, and there are a host of problems, a host of loopholes in the bill. This bill has been moving forward to passage under the railroad system we have here.

Let me remind everybody how it happened. First, 2 weeks before we had our recess, the old bill, last year's bill that the House refused to even take up, was brought up without committee hearings this year and brought up by the majority leader under rule XIV for consideration and debate. So about a week goes by, and then come last Tuesday before our recess, Tuesday morning, he plops down on this floor an amendment but really a complete substitute. If put in proper bill language, it would probably be nearly a thousand pages. It is a substitute, a bill never seen before, a bill—except maybe a few days by people who got their hands on it—a bill that has never gone through committee was put down, and the majority leader indicated he wanted to vote on it that week and we were going to have

a vote on Friday, and there is was a lot of push back. He agreed to put it off.

We only had a few votes last week. We didn't vote last Friday. We didn't have the bill up even on Monday. So for only 3 days the week before the recess, we were engaged with actual amendments on this legislation. Then we come back, and on Monday of this week, we had a few Senators show up, no votes, and a few of us talked a little bit, and that was it. So nothing was done Monday. I recall I did offer to bring up amendments and asked to bring up amendments and make pending amendments last Thursday, last Friday, and Monday of this week.

I just want to say that we are not moving in a legitimate way. This was a completely new bill which was offered as a substitute to last year's bill. Senator SPECTER, the ranking Republican on the Judiciary Committee, who supports this legislation, said in retrospect we should have gone to committee with it. I say that would have helped to have had a little bit of sunshine on it. But as we examine the bill in more depth, as we look at it more closely, what we see is that as sunlight falls on the mackerel, it begins to smell more and more, I have to tell you.

As it was promoted to me by the White House talking points and by Senators who thought it was a good piece of legislation, I had some belief that it could be progress over last year. Indeed, I thought there was a real potential to make a bill this year that I could support and with which we could make progress. But as we have examined it, it fails to meet the promises that were contained in those principles set forth as they were writing up the bill. It just does not. It does not have good enforcement. It does not. The trigger mechanism that guarantees enforcement before amnesty is weak and ineffectual. The shift to merit-based, skill-based immigration is ineffectual, and it puts off for 8 years, and we have people offering amendments to weaken that even further. So those were good principles that were stated but did not become reality.

I saw part of the debate on the TV in the cloakroom a few minutes ago and people were saying this is going to make the country safe, and we need to pass it because it is going to make us safe. Well, let us talk about some of the loopholes that are in this legislation still. I have listed 20. I think we probably have a lot more than that which we could have listed, but I will share some of the weaknesses.

This is as a result of the fact that individuals in the U.S. Border Patrol were not consulted in how to write the bill. If they had been consulted, some of these weaknesses wouldn't have been here. It is interesting, however, that some of these weaknesses were pointed out and complained of, but the drafters refused to listen. Why not?

For example, loophole No. 5: Legal status must be granted to illegal aliens 24 hours after they file an application—must be granted legal status—even if the alien has not yet passed all appropriate background checks.

Last year, the bill called for 90 days to complete the background checks. Yes, some aspects can be completed within a few minutes or a few hours, but a lot of things cannot. What if the person is named John Smith? There are a hundred John Smiths. How are you going to check those? A thousand John Smiths. I think this is a weakness.

In fact, the Border Patrol experts who called a press conference yesterday raised that particular point in a number of ways. Kent Lundgren, the national chairman of the Association of Former Border Patrol Agents, was contemptuous of the bill and said there are ''no meaningful criminal or terrorist checks'' in the bill. He said, ''There is no way records can be done in 24 hours.''

Jim Dorcy, an agent with 30 years experience, and who has also moved up to inspector general of the Department of Justice, said: ''24-hour check is a recipe for disaster.''

Then he went on to say, ''I call it the al Qaeda Dream Bill.'' That was from a TV program I happened to catch last night on C–SPAN, a National Press Club presentation by a group of former Border Patrol officers, and I am going to quote from them a little more in a minute.

Look at loophole No. 7. They say this bill will make us safer, but under the bill that is before us today, illegal aliens with terrorism connections are not barred from getting amnesty. An illegal alien with terrorist connections is not barred from getting amnesty. An illegal alien seeking most immigration benefits normally would have to show ''good moral character.''

For all its flaws, last year's bill specifically barred aliens with terrorism connections from being able to meet the definition of ''good moral character.'' How simple is that? And from being eligible for amnesty. But this year's bill does neither. This is another example of a provision in this year's bill that make it weaker than last year's bill, and I am finding this more and more.

We were told this bill was much better than last year's bill. I even told people that I think this is going to be a better bill than last year's. I am interested in what is contained in it. But repeatedly I am finding provisions like this one that indicate this bill is weaker than last year's.

Additionally, the bill's drafters ignored the Bush administration's request that changes be made in the asylum, cancellation of removal, and withholding of removal statutes in order to prevent aliens with terrorist connections from receiving relief. Last year's section 204 of the bill added the new terrorism bars to good moral character.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be given an additional 20 minutes.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

Mr. SESSIONS. Last year's bill added new terrorism bars to the good moral character requirement and required that an alien prove they have good moral character. Under the Immigration and Naturalization Act, the INA, an illegal alien must have good moral character to receive most of the immigration benefits, such as cancellation of removal from being here illegally.

But according to the current law, the law in effect today, an alien cannot have good moral character if they are habitual drunkards, get the majority of their income from illegal gambling, have given false testimony for immigration purposes, have been in jail for 180 days, have been convicted of an aggravated felony, or have engaged in genocide, torture, or extrajudicial killings. Those are some of the things that bar you from good moral character. This year's bill, however, is completely missing these new terrorism bars, and the bill no longer requires good moral character as a prerequisite to amnesty.

I wonder what this tells us about the mindset of the people who are actually putting the pencil to paper and drafting this legislation. Surely our Senators didn't fully understand it. But I have to say I am particularly troubled, because the Bush administration, as much as they have wanted a bill that would be exceedingly generous to immigrants, wanted this language strengthened, and the committee, the group that wrote the bill, rejected their request, which is hard for me to believe.

Additionally, during the course of the negotiations, the Bush administration requested that language be added to the bill to make sure that terrorism bars kept aliens from being granted asylum, cancellation, and the withholding of removal. Those requests should have been included and they were not. So one of the amendments I want to see voted on would be to restore the bars—the same or similar language we had in last year's bill that they took out over the objection of the administration.

Another example of a weakness in our provisions is some aggravated felons who have sexually abused a minor will be eligible for amnesty under this bill. A child molester who committed the crime of molestation before the bill is enacted is not barred from getting amnesty if their conviction document fails to state the age of the victim. The bill, after someone raised this problem, corrected this problem, but it was only for future child molesters and did not close the loophole for current or past child molesters.

In some States, the sexual abuse of a minor can result in a misdemeanor conviction. Those convictions are not

always considered an aggravated felony for immigration or deportation purposes. This is not an uncommon problem. There have been lawsuits and appeals over this very issue. This is not uncommon.

One study, according to these Border Patrol experts at their press conference yesterday, indicated a report out of Atlanta found that 250,000 of the 12 million illegal aliens here may have been involved in the sexual abuse of a minor. That is a lot of people. Why should we give amnesty and citizenship to those who may have been involved in those kinds of criminal violations? Citizenship in the United States requires good moral character.

We don't have to accept everybody who wants to be a citizen. We don't have to allow anyone who broke into our country to ever become a citizen. If they have broken into our country and are here illegally and they ask for amnesty, we have every right to say you don't get it if you are a child molester or have terrorist connections.

Look at loophole No. 8. This one is a bit amazing, I think, for anyone, and I find it difficult to believe. I am not making this up. This is in the bill on page 289. Instead of ensuring that members of violent gangs, such as MS–13, are deported, the bill will allow violent gang members to get amnesty as long as they renounce their gang membership on their application. It has a question there: Are you a member of a gang? If you said yes, the next question is: Do you renounce your membership? And if you say yes, I renounce my membership, you get to stay and become a citizen. Under this bill, it will not prevent amnesty. On page 289, the bill requires that you list gang memberships.

Why do we allow this? If an illegal alien will be a member of a violent international gang, such as the Mara Salvatrucha 13, the famous MS–13, a violent international gang involved in murders, drugs, and all kinds of crimes, why don't we say that blocks him from being eligible for amnesty under the bill? Now, if they are a citizen, OK, they get to stay in the country. They can be a gang member. But if they are not a citizen and they are here illegally and are petitioning to be given amnesty, I would say they shouldn't be given it. They should be prohibited.

Obviously, the loyalty to these illegal criminal gangs is such that it is contrary to the ideals of American citizenship in which your loyalty is to the United States of America. As Kris Kobach, a former top attorney at the Department of Justice, stated in a Heritage Foundation Web memo, posted after the new substitute bill was introduced, titled ''Rewarding Illegal Aliens: Senate Bill Undermines The Rule of Law'':

More than 30,000 illegal alien gang members operate in 33 States—30,000 illegal alien gang members operate in 33 States—trafficking in drugs, arms, and people. Deporting illegal-alien gang members has been a top ICE priority.

It is one of the top priorities of the Immigration and Customs Enforcement organization. That is what they do. The Senate bill would end that. I am quoting Mr. Kobach.

To qualify for amnesty, all a gang member would need to do is note his gang membership and sign a renunciation.

I ask again, what kind of mindset is at work here? Is our goal to please every illegal alien, to make sure every illegal alien gets to stay in the country regardless or is it to serve our legitimate national interests? I suggest any immigration bill we pass should serve our national interest. There is nothing wrong with that. Our responsibility is to America, to the people in America. Somehow we have gotten that confused.

There are good people in this body who are more concerned about how not to exclude anybody, to make sure everybody who is here gets to stay. And somehow, some way, through a maneuver or signing a document saying you renounce your gang membership, you will get to stay. It raises serious questions in my mind about how this bill was written.

Let me mention we may have a vote on this, I think tomorrow. This is amazing to me. Aliens who have already had their day in court, those who have been given and received a final order of removal, who have signed a voluntary departure order, or had reinstatement of their final orders of removal—that is they got a delay on their final order of removal and they got a stay—they are eligible for amnesty under the bill.

The same is true for aliens who have made a false claim to citizenship, for those who have engaged in document fraud. More than 636,000 alien fugitives could be covered by this one loophole—page 285 of the bill waives the following inadmissibility grounds. It waives these grounds that would normally be a basis for inadmissability.

No. 1, ''Failure to attend a removal proceeding.'' You have been released on bail. They said: You are believed to be here illegally. The court hearing is going to be 3 weeks from today. We will release you on your own recognizance. You just sign a document or post a small bail and you show up at the court hearing 3 weeks from today, 2 weeks from today, 2 months from today.

What if they don't show up? What if they didn't show up, they were apprehended, ordered to show up in court and didn't show up—amnesty—OK, that is excluded.

Another category, ''Final orders of removal for alien smugglers.'' If you have been apprehended, you have been ordered removed because you were proven to be involved in alien smuggling, smuggling of other people into our country—coyotes: You are OK. That is OK. You get to stay, too.

''Aliens unlawfully present after previous immigration violations or deportation orders.'' You have been caught for previous violations. You have been ordered deported. You are back again. You are excluded and you get to stay. And aliens who have previously been removed—we spend a lot of money. We fly people back to Brazil and Honduras and Indonesia and China. What if they come again? Do they get amnesty, too? Yes, they do.

This language appears to be in conflict with another statute that suggests otherwise. But when you read it, my legal team and I agree that the court would clearly rule that this specific language would be such that those individuals would get to stay in the country.

The list goes on. Loophole No. 10. The talking points we were provided with that indicated this to be a good bill and that we should be supportive of it emphasize that the new bill we have would promote greater assimilation of those who come here to our country and greater English proficiency—both of which I think are good ideas and we need to work on and should be a part of any immigration legislation that is passed. I believe that. However, the bill doesn't do it. Illegal aliens are not required to demonstrate any proficiency in English for more than a decade after they have been granted amnesty.

You have heard people say we are requiring English. We are not requiring it for 10 years. Learning English is not required for illegal aliens to receive the probationary benefits or the first 4-year Z visa or the second 4-year Z visa.

The first Z visa renewal, beginning on the second 4-year visa, requires only that the alien demonstrate an ''attempt'' to learn English by being ''on a waiting list for English classes.'' Passing a basic English test is required only for a second renewal, the third 4-year Z visa, and then the alien only has to pass the test ''prior to the expiration of the second extension of Z status,'' 12 years down the road.

The bill's sponsors claim they have to learn English before being granted amnesty. That is not true. Nothing in the bill requires the illegal alien to have any English skills before receiving probationary status, before receiving the first Z visa that lasts for 4 years. Only upon filing for renewal of the Z visa up to 6½ years down the road does the illegal alien have to meet any language requirement. At that time, the requirement is fulfilled with the most minimal effort: ''Demonstrating enrollment in'' or being on a ''waiting list for English classes.''

Second, when the alien applies for a second Z visa renewal, which would be 8 to 10 years from now, is there any real English requirement. At that time, the alien must ''pass the naturalization test.'' It is common knowledge that the test is not a real English proficiency test—it is not. So there is not an emphasis on English. Even then, it is not clear that passing the test would be required before the second extension of Z visa status is granted. As a matter of fact, on page 295 the bill states that:

. . . the alien may make up to three attempts . . . but must satisfy the requirement prior to the expiration of the second extension of Z visa status.

As the bill is written, there is no real English requirement until 12 to 14 years down the road, and it is not as strong.

I don't know why we are so concerned about that. Is it a pandering? Is it some attempt to please people who are here illegally? Good policy, I submit, the right policy—both for the United States and for those here receiving amnesty—would be to encourage them to learn English sooner rather than later. How long does it take? Twelve years is too long, and I think that is a mistake in the bill.

Mr. President, I see my colleague, Senator KYL here. I will be pleased to yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

(The remarks of Mr. KYL and Mr. SESSIONS are printed in today's RECORD under ''Morning Business.'')

Mr. SESSIONS. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEDBETTER DECISION

Mr. KENNEDY. Mr. President, I urge my colleagues on both sides of the aisle to join in correcting the Supreme Court's decision last week in Ledbetter v. Goodyear Tire & Rubber Company. That decision has undermined a core protection of title VII of the Civil Rights Act of 1964, the landmark law against job discrimination based on gender, race, national origin, and religion. Title VII has made America a stronger, fairer, and better land. It embodies principles at the heart of our society—fairness and justice for all.

Americans believe in fair treatment, equal pay, and an honest chance at success in the workplace. These values have made our country a beacon of hope and opportunity around the world. The Ledbetter decision undermined these bedrock principles by imposing unrealistically short time limits for employees seeking redress for wage discrimination.

In the case before the Supreme Court, a jury had found that Goodyear Tire and Rubber Company had discriminated against Lily Ledbetter by downgrading her evaluations because she was a woman in a traditionally male job. Year after year, the company used these unfair evaluations to pay her less than her male coworkers who held the same job. The jury was outraged by Goodyear's misconduct and awarded back to Ms. Ledbetter to correct this basic injustice and hold the company accountable.

The Supreme Court ruled against her, holding that she had waited too long to file her lawsuit. It ruled that she should have filed her lawsuit within a short time after Goodyear first decided to pay her less than her male colleagues. Never mind that she didn't know at the outset that male workers were paid more. Never mind that the company discriminated against her for decades and that the discrimination continued with each new paycheck she received.

Requiring employees to file pay discrimination claims within a short time after the employer decides to discriminate makes no sense. Pay discrimination is different from other discriminatory actions because workers generally don't know what their colleagues earn. It is not a case of being told ''you're fired'' or ''you didn't get the job'' when workers at least knows they have been denied a job benefit. With pay discrimination, the paycheck comes in the mail, and workers usually have no idea if they are being paid fairly. Common sense and basic fairness require that they should be able to file a complaint within a reasonable time after getting a discriminatory paycheck instead of having to file the complaint soon after the company first decides to shortchange them for discriminatory reasons.

The Court's decision in the *Ledbetter* case is not only unfair, it sets up a perverse incentive for workers to file lawsuits before they have investigated whether pay decisions are actually based on discrimination. Under the decision, workers who wait to get all the information before filing a complaint of discrimination could be out of time. As a result, the decision will create unnecessary litigation as workers rush to beat the clock on their equal pay claims.

The Supreme Court's decision also breaks faith with the Civil Rights Act of 1991, which was enacted with overwhelming bipartisan support—a vote of 93 to 5 in the Senate and 381 to 38 in the House. The 1991 act had corrected this same problem in the context of seniority, overturning the Court's decision in a separate case. At the time, there was no need to clarify title VII for pay discrimination claims since the courts were interpreting title VII correctly. Obviously, Congress needs to act again to ensure that the law adequately protects workers against pay discrimination.

It is unacceptable that victims of discrimination are unable to file a lawsuit against ongoing discrimination. Yet that is what happened to Lily Ledbetter. I hope that all of us, on both sides of the aisle, can join in correcting this obvious wrong.

Unfortunately, in recent years, the Supreme Court also has undermined other bipartisan civil rights laws in ways Congress never intended. It has limited the Age Discrimination in Employment Act, made it harder to protect children who are harassed in our schools, and eliminated individuals' right to challenge practices that have a discriminatory impact on their access to public services. Congress needs to correct these problems as well.

Let's not allow what happened to Lily Ledbetter to happen to any other victims of discrimination. As Justice Ginsburg wrote in her powerful dissent, the Court's decision is ''totally at odds with the robust protection against employment discrimination Congress intended Title VII to secure.'' I urge my colleagues, Republicans and Democrats alike, to restore the law as it was before the *Ledbetter* decision, so that victims of ongoing pay discrimination have a reasonable time to file their claims. The Lily Ledbetters of our Nation deserve no less.

HONORING OUR ARMED FORCES

STAFF SERGEANT JAY EDWARD MARTIN

Mr. CARDIN. Mr. President, on May 16, 2007, I attended SSG Jay Edward Martin's funeral. A soldier born and raised in Baltimore, MD, Sergeant Martin lost his life in service to our country. He was 29 years old. I rise today to pay tribute to his life and his sacrifice.

Sergeant Martin and two others were killed Sunday, April 29, when an improvised explosive device detonated near their vehicle during combat operations in Baghdad.

Sergeant Martin was not new to the military. After joining the Army in November 1997, he served for nearly 2 years in Germany and Bosnia. He was then stationed at Fort Irwin in California as an Army recruiter. But as a recruiter, Sergeant Martin grew restless and chose to go to Baghdad. A childhood friend remembers Jay's explanation: ''I'm supposed to be fighting for my country; I can't sit in an office.'' An experienced soldier, Sergeant Martin knew the risks and challenges he would face, and this knowledge makes his decision to serve all the more admirable.

Sergeant Martin had been scheduled for a 2-week break from Iraq in April. But in a selfless move—one that Jay's family describes as typical of his generous spirit—he allowed a fellow soldier whose wife just had a baby to take his place.

Jay is remembered by those who knew him for his determination, bravery, and devotion to service. Jay displayed remarkable leadership, focus, and determination even as he suffered setbacks in his young life. Jay's mother died when he was only 8 years old, but Jay remained focused on his dream of becoming a pilot and joining the military. An aunt, Lori Martin-Graham, recalls that he would talk about military service for hours with her husband, who had served in the Navy.

Sergeant Martin spoke fervently about the importance of college and attended Embry-Riddle Aeronautical University in Daytona Beach, FL. He